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May 25, 2000

ATTORNEY DOCKET NO.: DIVER1370-4

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, DC 20231

jc586 U.S. PTO  
09/580515  
05/25/00

Presented for filing is a new continuation-in-part patent application of:

APPLICANTS: JAY M. SHORT AND KEITH A. KRETZ  
TITLE: **RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF**

Enclosed are the following papers, including all those required for a filing date under 37 CFR § 1.53(b):

Pages of Specification	122
Pages of Claims	6
Pages of Abstract	1
Pages of Declaration	3 (unsigned)
Sheets of Drawing	3
Pages of Small Entity Statement	[to be filed at a later date]
Permission to Use Sequence Listing	2
Pages of Sequence	5

Under 35 USC § 120, this application claims the benefit of prior US application 09/318,528, filed May 25, 1999, which is a continuation-in-part of U.S. Patent Application Serial No. 09/291,931, filed April 13, 1999, which is a continuation-in-part of U.S. Patent Application Serial No. 09/259,214, filed March 1, 1999, which is a divisional of U.S. Patent Application Serial No. 08/910,798, now U.S. Patent No. 5,876,997, filed August 13, 1997.

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Date of Deposit **May 25, 2000**  
I hereby certify under 37 CFR § 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.  
*Mikhail Bayler*  
*Mikhail Bayler*

Gray Cary Ware & Freidman LLP

DOCKET NO. DIVER1370

In Re Application of: Short et al.

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Basic filing fee	\$	0.00
Total claims in excess of 20 times \$	\$	
Independent claims in excess of 3 times \$	\$	
Multiple dependent claims	\$	
Total filing fee:	\$	0.00

Please defer the payment of the filing fee until the filing of the Declaration. Please charge any other required fees, **EXCEPT FOR THE FILING FEE**, or credit any overpayments, to Deposit Account 50-1355, referencing the Attorney Docket number shown above. A copy of this transmittal letter is attached.

If this application is found to be INCOMPLETE, or if it appears that a telephone conference would helpfully advance prosecution, please telephone the undersigned at (858) 677-1456.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Respectfully submitted,



Lisa A. Haile, Ph.D

Registration No. 38,347

5/25/00  
Date

Enclosures

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## CONTINUATION-IN-PART APPLICATION

for

UNITED STATES LETTERS PATENT

on

**RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF**

by

**Jay M. Short**

**Keith A. Kretz**

Sheets of Drawings: 3

Docket No.: DIVER1370-4

Lisa A. Haile, Ph.D.

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